

**LOWE’S COMPANIES, INC.,** )  
 )  
 **Plaintiff,** )  
 )  
 **Vs.** ) **ORDER**  
 )  
 **VARNELL, STRUCK AND** )  
 **ASSOCIATES, INC.; DAVID STRUCK;** )  
 **and JOHN VARNELL,** )  
 )  
 **Defendants.** )  
 )

## ORDER

**IT IS, THEREFORE, ORDERED** that plaintiff's Motion to Seal Memorandum (#34) is **GRANTED**, and plaintiff is allowed to file its Memorandum in Opposition (#35) under seal. The parties are advised, however, that the court anticipates issuing its Recommendation in a public format, and that orders sealing matters in this case are subject to further review and consideration by either the undersigned or the district judge to whom the case is assigned.

Signed: March 13, 2008

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

